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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
ANTHONY UVARI,  
Defendant.

Case No. 2:18-cr-00253-APG-NJK

**ORDER**

[Docket No. 123]

13 Pending before the Court is Defendant Anthony Uvari's emergency motion for discovery  
14 deadline. Docket No. 123. The Court has considered Defendant's motion, the United States'  
15 response, and Defendant's reply. Docket Nos. 123, 128, 129. This matter is properly resolved  
16 without a hearing. *See* Local Rule 78-1.

17 Defendant asks the Court to use its inherent power to control its docket to impose a  
18 discovery deadline in this case, requiring the United States to provide defense counsel with any  
19 discovery it intends to use at trial on April 25, 2022, by no later than March 14, 2022. Docket No.  
20 123 at 1, 3. The United States submits that Defendant's request runs counter to the statutory  
21 discovery deadlines, as well as the deadlines in the Government Disclosure Statement. *See* Docket  
22 No. 128.

23 "There is no general constitutional right to discovery in a criminal case." *Weatherford v.*  
24 *Bursey*, 429 U.S. 545, 559 (1977). Over time, statutory and court-imposed rules and obligations  
25 have been established to govern discovery in criminal cases, including the Jencks Act, the Federal  
26 Rules of Criminal Procedure, and the disclosure obligations imposed by *Brady v. Maryland*, 373  
27 U.S. 83, 83 (1963), and its progeny.  
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1 Rule 16 of the Federal Rules of Criminal Procedure governs criminal discovery and  
2 imposes discovery obligations on both the United States and the Defendant. The Court has the  
3 power to regulate discovery for good cause, including the ability to “deny, restrict, or defer  
4 discovery,” to grant “other appropriate relief,” and to “enter any other order that is just under the  
5 circumstances.” Fed. R. Crim. P. 16(d). *See also United States v. Grace*, 526 F.3d 499, 508-13  
6 (9th Cir. 2008) (en banc) (recognizing that district courts have discretion to impose criminal  
7 discovery deadlines pursuant to Rules 2 and 16 and as part of their inherent authority to manage  
8 their dockets). The Court’s power to impose such case management deadlines is discretionary,  
9 not mandatory. *Grace*, 526 F.3d at 508-09.

10 Defendant’s request for a discovery deadline is primarily based on this Court’s decision in  
11 another case to impose a discovery deadline two months before a criminal trial. Docket No. 123  
12 at 3 (citing *United States v. Cassut*, 2:20-cr-00231-APG-NJK, ECF No. 81). Defendant provides  
13 no showing as to why the Court exercised its discretion in *United States v. Casutt* to impose a  
14 discovery deadline or why similar circumstances exist in this case to establish good cause for such  
15 a deadline. Defendant further fails to demonstrate why the Government Disclosure Statement,  
16 which was filed on September 7, 2018, should no longer govern the discovery in this case.  
17 Accordingly, Defendant’s emergency motion for discovery deadline, Docket No. 123, is  
18 **DENIED.**

19 IT IS SO ORDERED.

20 Dated: March 9, 2022

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24 Nancy J. Koppe  
25 United States Magistrate Judge  
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